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CALL FOR CANADIAN JOB EXPERIENCE CITED AS A RACIST DEVICE OF SOME EMPLOYERS

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CALL FOR CANADIAN JOB EXPERIENCE CITED
AS A RACIST DEVICE OF SOME EMPLOYERS

By Arnold Bruner

The Globe and Mail, Wednesday, November 26, 1975

The Ontario Human Rights Commission has been asked to crack down on employers who demand Canadian experience as a condition of employment.

Employers in growing numbers are using the condition as a device to practice illegal racial discrimination, although they may be technically within the law, according to the Canadian Civil Liberties Association.

A commission spokesman said yesterday that the Government agency had been investigating the "phenomenon" for a month on its own because it is "rearing its head with alarming frequency." But the rights agency has not decided if it will take action under Ontario's human rights laws.

Separate surveys of job advertisements in Toronto's three major newspapers by the association and The Globe and Mail found Canadian experience up to 10 years "essential" or required for such jobs as: secretary, electrician, salesman, office clerk, bookkeeper, stenographer, accounts receivable supervisor, laboratory technician, mechanic, receptionist-typist, agrologist, tool and die maker and file clerk.

Two to three years of Canadian experience is the most frequent minimum cited, but five years is not uncommon. One firm demanded five years residence in Toronto for a stenographer's job.

The Globe and Mail checked its own classified advertising columns and those of The Toronto Star and The Toronto Sun for one day last week and found 25 asking in various ways for Canadian experience. Five were in the Globe, 13 in the Star and seven in the Sun.

In the civil liberties association survey, the job columns were checked periodically for three months and letters were written to advertisers asking why Canadian experience was needed.

Twelve replies formed the basis of a letter sent this week to Dr. Thomas Symons, chairman of the Ontario Human Rights Commission. It says that the former chairman, Dr. Daniel Hill, warned a few years ago that "a growing number of employers were practising unlawful discrimination under the guise of requiring Canadian experience from their job applicants".

The letter, from Alan Borovoy, the CCLA general counsel, said present practices show "the wisdom of this warning."

While such a job requirement is not unlawful in itself, he said, "it can readily be used to accomplish unlawful objectives." Even where there is no intention to discriminate, he said, the effect is the same, because "not many newcomers to this country are likely even to apply for jobs where 'Canadian experience' is stipulated".

In both surveys, a number of employers reached by mail or telephone said the stipulation in their ads was a mistake or unnecessary. Others held the job could not be done by people without Canadian experience unless they were specially trained.

One advertiser admitted in a telephone interview that the intent was discriminatory. She represents an accounting firm.

"A lot of our clients do not want immigrants", she said. "I'm very prejudiced. I have to admit this. We've had a lot of them in here and they can't do what they say they do."

The CCLA said that although seven employers who replied to its queries created "difficulty", their replies could not by themselves be taken as evidence of discrimination.

A reply from Lindzon Ltd. of Spadina Avenue said it required Canadian experience for an office position because "we wish someone who had already worked in an office in Canada."

Lourden Taylor required someone with Canadian sales experience for its Yonge Street clothing store because "our clients are all Canadian and speak only English."

The Association called on the Commission to monitor all newspapers in Ontario continuously.

Dr. Hill, now a private consultant to governments and the University of Toronto, said it called for a massive counter-campaign within the community.

"The Human Rights Commission should be given the necessary resources to fight it".

He first became aware of the problem as Commission head, he said, when a Black applicant complained he was rejected as a dishwasher because he lacked Canadian experience.

The manager of classified advertising at The Globe and Mail said the newspaper would continue to accept such advertising until the Commission ruled it was illegal.

Although the Globe has in the past decided to exclude other types of advertising on its own initiative, where the Human Rights Code is concerned, according to Harry Outhet. "If there is a loophole, who are we to make new laws?"

Ed Demchuk, Manager of classified advertising at the Star, said he was seeking clarification of policy as a result of the call from a Globe reporter. "We don't blanket-veto Canadian experience in advertising" he said, "but we do discourage it."

For additional copies of this report, please contact:

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NEWS RELEASE

Ontario Human
Rights
Commission

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**RIGHTS BODY SENDS
STATEMENT TO PRESS
ON "CANADIAN EXPERIENCE"**

The Ontario Human Rights Commission today sent the following policy statement to newspapers which carry job advertising.

"The Ontario Human Rights Commission is concerned that some employers are using the term "Canadian experience" in their employment advertisements to circumvent the hiring of employees on the basis of merit.

The Commission is anxious to eliminate this practice when it may lead to unlawful discrimination, without infringing on the employers' right to recruit and hire the person best qualified for any available position.

Whether intended or not, the effect of requiring "Canadian experience" often denies many persons legally eligible to work in Canada the right to equal employment opportunity.

The Commission believes that employers can hire the most qualified person by providing, in their advertisements, descriptions which accurately communicate the needed job-related requirements to prospective candidates.

For example, instead of advertising for a "Junior Secretary, Canadian experience, good typing, initiative, pleasing personality," it would be advisable for the advertisement

to state "Junior secretary, thorough familiarity with office routine and the English language, good typing, initiative, pleasing personality."

Stating precisely what requirements are considered essential for employment will enable the employer to save his own time as well as that of the job applicants.

For example, an advertisement which states "Taxi dispatcher, Canadian experience required" does not necessarily give an accurate job description. Whereas, if the advertisement read "Taxi dispatcher. Must have a thorough knowledge of the Toronto area", eligible candidates would be limited to those who had a thorough knowledge of the area in which the job would be performed. In this case, knowledge vital for the job is not necessarily equatable to the term "Canadian experience".

Other examples which illustrate how time, money and effort might be saved in finding the best qualified candidate for a job include:

"Social worker wanted for Ottawa. Must be bilingual, and thoroughly familiar with the social and cultural characteristics of Canadian society and family structure"

or

"Commercial Traveller wanted: Must possess driver's licence and be thoroughly familiar with the geography of northern Ontario."

In each of the examples cited above as well as in many others, the term "Canadian experience" alone would not accurately describe the true needs of the position available and might discourage persons from applying who could well prove to be the best qualified candidate for the position.

Publishers are invited to refer any problems or queries which arise from this statement to the Ontario Human Rights Commission's offices at 400 University Avenue in Toronto (965-6841)"

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and the air conditioners which are installed in the buildings
are all connected to one central plant which is located in the
center of the building, and the fans blow air through ducts
which are located in the ceiling.

The system is controlled by a computer which monitors the
temperature and humidity levels in each room and adjusts the
fans accordingly to maintain a comfortable environment.

The system is also designed to automatically turn off the fans
when the rooms are unoccupied, thus saving energy and reducing
operating costs.